

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c))			Docket No. 50060-00128
In Re Application Of: MILLER et al.			
Serial No. 10/697,386	Filing Date 10/30/03	Examiner Tamai, Karl I.	Group Art Unit 2834
Title: LARGE TILT ANGLE MEM PLATFORM			
Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450			
37 CFR 1.97(b)			
1. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.			
37 CFR 1.97(c)			
2. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:			
<input type="checkbox"/> the statement specified in 37 CFR 1.97(e);			
OR			
<input checked="" type="checkbox"/> the fee set forth in 37 CFR 1.17(p).			

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
50060-00128

In Re Application: **MILLER et al.**

Serial No.
10/697,386

Filing Date
10/30/03

Examiner
Tamai, Karl I.

Group Art Unit
2834

LARGE TILT ANGLE MEM PLATFORM

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☒ A check in the amount of **\$180.00** is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account **50-1419** as described below.
- ☐ Charge the amount of
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

Certificate of Transmission by Facsimile*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (F:

(Date)

Signature

Typed or Printed Name of Person Signing Certificate

Certificate of Mailing by First Class Mail

I certify that this document and fee is being deposited on 6/17/04 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature of Person Mailing Correspondence

Daxmara Sanchez

Typed or Printed Name of Person Mailing Certificate

*This certificate may only be used if paying by deposit account.

Robert B. Berube
Signature

Dated: June 17, 2004

Robert B. Berube, Esq.

Reg. No. 39,608

MARSH FISCHMANN & BREYFOGLE LLP

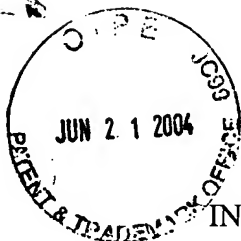
3151 S. Vaughn Way, Suite 411

Aurora, Colorado 80014

Telephone: 303-338-0997

Facsimile: 303-338-1514

CC:



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

MILLER et al.

Serial No.: 10/697,386

Filed: October 30, 2003

Confirmation No.: 7459

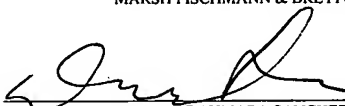
Atty. File No.: 50060-000128

For: "LARGE TILT ANGLE MEM
PLATFORM"

) Group Art Unit: 2834

) Examiner: Tamai, Karl I.

) INFORMATION DISCLOSURE STATEMENT

<p style="text-align: center;">CERTIFICATE OF MAILING</p> <p>I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 ON <u>6/17/04</u>.</p> <p style="text-align: center;">MARSH FISCHMANN & BREYFOGLE LLP</p> <p>BY:  DAXMARA SANCHEZ</p>
--

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to Applicant's duty of disclosure under 37 CFR § 1.56 and 37 CFR §§ 1.97-1.98, Applicant hereby submits the enclosed PTO Form 1449, although Applicant does not admit that any of such documents, alone or in any combination, is considered to be material to patentability as defined in 37 CFR § 1.56(b). Moreover, the inclusion of these documents is not to be construed as an admission by Applicant that each such document is prior art as to the above-identified application. Pursuant to the Official Gazette Notice of August 5, 2003, copies of any U.S. Patents or published U.S. Patent Applications are not being submitted herewith. Copies of any foreign patent and non-patent documents are submitted herewith.

06/23/2004 FFANAI2 00000079 10697386

01 FC:1806

180.00 DP

Attorney Docket No.: 50060-00128

PATENT APPLICATION

Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE LLP

By: Robert B. Berube

Robert B. Berube, Esq.

Registration No. 39,608

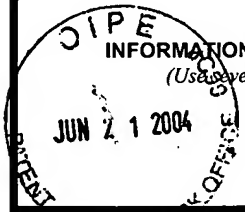
3151 South Vaughn Way, Suite 411

Aurora, Colorado 80014

Telephone: (303) 338-0997

Facsimile: (303) 338-1514

Date: June 17, 2004

	Docket Number (optional) 50060-00128	Application Number 10/697,386
	Applicant(s) Miller et al.	
	Filing Date October 30, 2003	Group Art Unit 2834

U.S. PATENT DOCUMENTS								
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	1.	3,990,780	11/09/76	DAKSS	350	96		
	2.	4,208,094	06/17/80	TOMLINSON, III, ET AL.	350	96.20		
	3.	4,365,863	12/28/82	BROUSSAUD	350	96.15		
	4.	4,838,631	06/13/89	CHANDE, ET AL.	350	6.6		
	5.	5,583,688	12/10/96	HORNBECK	359	291		
	6.	5,600,383	02/04/97	HORNBECK	348	771		
	7.	5,783,340	07/21/98	FARINO ET AL.	430	22		
	8.	5,798,283	08/25/98	MONTAGUE ET AL.	438	24		
	9.	5,804,084	09/08/98	NASBY ET AL.	216	2		
	10.	5,867,302	02/02/99	FLEMING	359	291		
	11.	5,875,271	02/23/99	LAUGHLIN	385	16		
FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
	A.	2617054	06/04/97	JAPAN	G02B		X	
	B	WO 99/66354	12/23/99	LAOR	G02B			
	C.	06-160750	06-1994	JAPAN	G02B			
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)								
	I.	Lucent technologies WaveStar LambdaRouter Brouchure, 2000, 6 Pages						
	II.	"Multiple Solutions In Electrostatic Mems" J.A. Pelesko, Modeling and Simulation of Microsystems, 2001 (Pgs. 290-293)						
EXAMINER				DATE CONSIDERED				
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application								

INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>	Docket Number (optional) 50060-00128	Application Number 10/697,386
	Applicant(s) Miller et al.	
	Filing Date October 30, 2003	Group Art Unit 2834

U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	12.	5,959,375	09/28/99	GARCIA	310	40	
	13.	5,960,132	09/28/99	LIN	385	18	
	14.	5,986,381	11/16/99	HOEN, ET AL.	310	309	
	15.	6,082,208	07/04/00	RODGERS, ET AL.	74	406	
	16.	6,097,859	08/01/00	SOLGAARD, ET AL.	385	17	
	17.	6,133,670	10/17/00	RODGERS, ET AL.	310	309	
	18.	6,175,170	01/16/01	KOTA, ET AL.	310	40	
	19.	6,211,599	04/03/01	BARNES, ET AL.	310	309	
	20.	6,201,629	03/13/01	MCCLELLAND, ET AL.	359	223	
	21.	6,220,561	04/24/01	GARCIA	248	487	
	22.	6,253,001	06/26/01	HOEN	385	17	
FOREIGN PATENT DOCUMENTS							
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation YES NO
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	III.	"Optical Mems Design For Telecommunications Applications" Vladimir A. Aksyk et al., Solid-State Sensor, Actuator and Microsystems Workshop, Hilton Island, South Carolina, 2002 (Pgs. 1-6)					
	IV.	"Microelectromechanical Systems Laboratory Manual", NJIT PHYS 482 and Columbia ME4312, Prof. Farmer (NJIT) and Prof. Mode (Columbia), (Pgs. 1-17)					
EXAMINER				DATE CONSIDERED			
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application							

INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>	Docket Number (optional) 50060-00128	Application Number 10/697,386
	Applicant(s) Miller et al.	
	Filing Date October 30, 2003	Group Art Unit 2834

U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	23.	6,289,145	09/11/01	SOLGAARD, ET AL.	385	17	
	24.	6,309,077	10/30/01	SAIF ET AL.	359	871	
	25.	6,310,339	10/30/01	HSU, ET AL.	250	214.1	
	26.	6,327,398	12/04/01	SOLGAARD	385	18	
	27.	6,329,738	12/11/01	HUNG	310	309	
	28.	6,466,711	10/15/02	LAOR ET AL.	385	18	
	29.	6,483,962	11/19/02	NOVOTNY	385	18	
	30.	2001/0048265 A1	12/06/01	MILLER ET AL.	310	309	
	31.	2001/0051015 A1	12/13/01	GUTIERREZ, ET AL.	385	17	
	32.	2002/0044718 A1	04/18/02	NISHI, ET AL.	385	17	
	33.	2002/0076138 A1	06/20/02	TEW	385	18	

FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
V.	"An Angle Based Design Approach For Rectangular Electrostatic Torsion Actuators", Zhixiong Xiao et al., New Jersey Institute of Technology, Microelectronics Research Center, (Pgs. 1-27)	
VI.	"Mems Technologies For Optical Applications", Dr. Veljko Milanovic, Adriatic Research Institute, 2002.	

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application	

